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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/977,590	10/12/2001	Jizhi Pan	PANJZ.PT1	2758

7590 09/30/2004

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EXAMINER

YOUNG, JOHN L

ART UNIT PAPER NUMBER

3622

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/977,590

Applicant(s)

PAN, JIZHI

Examiner

John L Young

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

JOHN LEONARD YOUNG, ESQ.  
PRIMARY EXAMINER

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## **FIRST ACTION REJECTION**

**(Paper# 9/27/2004)**

### **DRAWINGS**

1. This application has been filed with drawings that are considered informal; said drawings are acceptable for examination purposes. The review process for drawings that are included with applications on filing has been modified in view of the new requirement to publish applications at eighteen months after the filing date of applications, or any priority date claimed under 35 U.S.C. §§119, 120, 121, or 365.

### **CLAIM OBJECTIONS—37 CFR 1.75**

2. Claim 1 is indefinite because of the use of the phrase “configured to. . . .” Such language lacks positive description of functionality and/or cooperation of the various elements and limitations in said claim.

### **CLAIM REJECTIONS — 35 U.S.C. §103( a )**

The following is a quotation of 35 U.S.C. §103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if

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the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-20 are rejected under 35 U.S.C. §103( a ) as being obvious over Winters US 2001/0034635 (10/25/2001) (herein referred to as "Winters").

As per independent claim 1, Winters (¶¶[0016]; [0045]) discloses: "*the . . . website may provide banner/text/image links . . . to on-line games. . . .*"

Winters (¶¶[0055]; [0063]) discloses: "'win' an award/prize. . . . win an instant prize from playing an instant-win game. . . ."

Winters (the ABSTRACT; FIG. 1B; FIG. 1A; FIG. 2A; FIG. 12; ¶¶[0016]; [0045]; [0055]; [0063]; [0002]; [0005]; [0007]; [0012]; [0013]; [0015]; [0057]; [0062]; and [0083]) implicitly shows "A computer implemented profitable information (PI) management system for advertisers to post a plurality of classified advertisements offering a reward (CORs) to be completed by solvers, comprising . . . a PI broadcast platform, and . . . a PI central server communicably connected to the PI broadcast platform, said PI central server being configured to . . . receive one or more CORs from one of more advertisers, each COR including . . . an advertised request . . . a reward amount, and . . . a classified advertisement offering a reward identification (COR-ID); and . . . receive a set

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of content information from each of the advertisers; and . . . publish the /CORs on the PI broadcast platform.”

Winters lacks explicit recitation of the “profitable information (PI)” and “classified advertisements offering a reward (CORs)” elements and limitations of claim 1.

It would have been obvious at the time the invention was made to a person having ordinary skill in the art that the disclosure of Winters (¶¶[0016]; [0045]; [0055]; [0063]) implicitly shows those elements and limitations of claim 1 not explicitly recited, and it would have been obvious to modify and interpret the disclosure of Winters cited above as implicitly showing those elements and limitations not explicitly recited, because modification and interpretation of the cited disclosure of Winters would have provided means that *“allows content websites to extract value from the audiences they attract. . . .”* (see Winters (¶[0012]), based on the motivation to modify Winters so as to *“attract and retain customers n a way that is cost-effective and in a way that takes advantage of the personal interests and passions of Internet audiences.”* improve said packs in terms of the configuration and arrangement of the printing carriers. . . .” (see Winters (¶[0012])).

As per dependent claims 2-15, Winters implicitly shows the system of claim 1 and subsequent base claims depending from claim 1.

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Winters (the ABSTRACT; FIG. 1B; FIG. 1A; FIG. 2A; FIG. 12; ¶¶[0016]; [0045]; [0055]; [0063]; [0002]; [0005]; [0007]; [0012]; [0013]; [0015]; [0057]; [0062]; and [0083]) implicitly shows all of the elements and limitations of claims 2-15; however,

Winters lacks explicit recitation of some of the elements and limitations of claims 2 –15.

“Official Notice” is taken that both the concepts and the advantages of all of the elements and limitations of claims 2-15, were well known and expected in the art by one of ordinary skill at the time of the invention because; for example, it would have been obvious to modify and interpret the disclosure of Winters cited above as implicitly showing those elements and limitations not explicitly recited, because modification and interpretation of the cited disclosure of Winters would have provided means that *“allows content websites to extract value from the audiences they attract. . . .”* (see Winters (¶[0012]), based on the motivation to modify Winters so as to *“attract and retain customers in a way that is cost-effective and in a way that takes advantage of the personal interests and passions of Internet audiences.”* improve said packs in terms of the configuration and arrangement of the printing carriers. . . .” (see Winters (¶[0012])).

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Independent claim 16 is rejected for substantially the same reasons as independent claim 1.

As per dependent claims 17-20, Winters implicitly shows the method of claim 16 and subsequent base claims depending from claim 16.

Winters (the ABSTRACT; FIG. 1B; FIG. 1A; FIG. 2A; FIG. 12; ¶¶[0016]; [0045]; [0055]; [0063]; [0002]; [0005]; [0007]; [0012]; [0013]; [0015]; [0057]; [0062]; and [0083]) implicitly shows all of the elements and limitations of claims 17-20; however,

Winters lacks explicit recitation of some of the elements and limitations of claims 17-20.

“Official Notice” is taken that both the concepts and the advantages of all of the elements and limitations of claims 17-20, were well known and expected in the art by one of ordinary skill at the time of the invention because, for example, it would have been obvious to modify and interpret the disclosure of Winters cited above as implicitly showing those elements and limitations not explicitly recited, because modification and interpretation of the cited disclosure of Winters would have provided means that “allows content websites to extract value from the audiences they attract. . . .” (see Winters (¶[0012]), based on the motivation to modify Winters so as to “attract and retain customers in a way that is cost-effective and in a way that takes advantage of the personal interests and passions of Internet audiences.” improve said packs in terms of the configuration and arrangement of the printing carriers. . . .” (see Winters (¶[0012])).

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### CONCLUSION

4. Any response to this action should be mailed to:

Commissioner for Patents  
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Any response to this action may be sent via facsimile to either:

(703)305-7687 (for formal communications EXPEDITED PROCEDURE) or

(703) 305-7687 (for formal communications marked AFTER-FINAL) or

(703) 746-7240 (for informal communications marked PROPOSED or DRAFT).

Hand delivered responses may be brought to:

Seventh Floor Receptionist  
Crystal Park V  
2451 Crystal Drive  
Arlington, Virginia.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John L. Young who may be reached via telephone at (703) 305-3801. The examiner can normally be reached Monday through Friday between 8:30 A.M. and 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber, may be reached at (703) 305-8469.




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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

  
John L. Young

Primary Patent Examiner

JOHN LEONARD YOUNG, ESQ.  
PRIMARY EXAMINER

September 27, 2004